

FLORENCE TOWNSHIP PLANNING BOARD

RESOLUTION NO. P.B.-2018-14

Application PB#2018-03

**RESOLUTION OF MEMORIALIZATION
APPLICATION OF US HOME CORPORATION d/b/a LENNAR
BLOCK 165.04 LOT 63
OP OFFICE PARK ZONING DISTRICT
ROUTE 130 REDEVELOPMENT AREA
AMENDED FINAL MAJOR SUBDIVISION and SITE PLAN
APPROVAL**

Application Decided: May 22, 2018
Resolution Memorialized: May 22, 2018

WHEREAS, by way of its Resolution 2018-05, the Florence Township Planning Board granted the application of the US Home Corporation d/b/a Lennar seeking preliminary and final major subdivision and site plan approval concerning an 8.87 acre parcel located at Florence-Columbus Road and Regars Drive, and known on the official Tax Maps of the Township of Florence as Lot 63 of Block 165.04, to allow development of 80 townhomes and associated site improvements;

WHEREAS, the applicant now seeks amended final major subdivision and site plan approval to resolve an error in the original application that did not accommodate the full and correct 8 inch width of the foundation walls of each of the end unit townhouses;

WHEREAS, the present application now seeks to shift the lot lines of each end unit townhouse outward 4", resulting in a total lot width of 23.33 ft. for each end unit instead of the 23 ft. width that was previously approved;

WHEREAS, no other changes to the previously approved plans are now sought, and the currently proposed development remains in full compliance with all applicable use, bulk, stormwater and design standards;

WHEREAS, the applicant is represented by David Roskos, Esquire, Michael Butler, Esquire and Frank Petrino, Esquire, of the Eckert Seamans firm;

WHEREAS, the applicant is the owner of the subject property;

WHEREAS, upon a finding that its jurisdiction was proper, the Board opened a hearing on the application at the Board's May 22, 2018 regular meeting, granted waivers of certain ordinance checklist submission requirements as specified and recommended in the Board Engineer's letter of May 16, 2018 and his testimony in the course of the hearing, found the application administratively complete, opened a hearing on the substance of the application;

WHEREAS, the applicant's Engineer, Robert Stout, PE, PLS, appeared, was sworn, was accepted by the Board as an expert in the field of site and civil engineering, and offered his testimony in support of the application;

WHEREAS, Mitch Newman, a Director of the applicant, appeared, was sworn, and also offered his testimony, along with the arguments and representations of counsel in support of the application;

WHEREAS, the Florence Township Planning Board has made the following findings of fact and conclusions of law:

Findings of fact:

1. The applicant is the owner of the subject property, located at Florence-Columbus Road and Regars Drive and known as Lot 63 of Block 165.04, and the applicant therefore has standing to appear before the Board.
2. By way of its Resolution 2018-05, the Florence Township Planning Board granted the application of the US Home Corporation d/b/a Lennar seeking preliminary and final major subdivision and site plan approval concerning an 8.87 acre parcel located at Florence-Columbus Road and Regars Drive, and known on the official Tax Maps of the Township of Florence as Lot 63 of Block 165.04, to allow development of 80 townhomes and associated site improvements.

3. Application has now been made seeking amended final major subdivision and site plan approval to resolve an error in the original application that did not accommodate the full and correct 8 inch width of the foundation walls of each of the end unit townhouses.
4. The subject property lies in the Township of Florence OP Office Park Zone District, in which the proposed residential use is not permitted as-of-right, however, the proposed development must comply with the use, bulk and design standards set forth in the "Redevelopment Plan, Lennar-Tristate, Block 165.04, Lot 63, Florence Township Burlington County, NJ", dated June 19, 2017, revised to July 12, 2017, and the proposed residential use is permitted by the Redevelopment Plan.
5. The present application now seeks to shift the lot lines of each end unit townhouse outward 4", resulting in a total lot width of 23.33 ft. for each end unit instead of the 23 ft. width that was previously approved.
6. No other changes to the previously approved plans are now sought, and the currently proposed development remains in full compliance with all applicable use, bulk, stormwater and design standards.
7. Mailing and publication of hearing notices for applications seeking final approval is not required by the Municipal Land Use Law (NJSA 40:55D-1 et seq.) or by local ordinance, and the Board has jurisdiction to hear these applications.
8. The applicant has submitted the following documents in support of its application:
 - a. A completed Township of Florence Land Development Application;
 - b. Proof that no taxes were due on the subject property at the time of the application;
 - c. A Subdivision Plan comprised of one sheet prepared by Robert R. Stout, PE, PLS of Stout & Caldwell Engineers, LLC, dated 9/05/17 and revised through 05/07/18;
 - d. Submission cover letter, prepared by Stout & Caldwell Engineers, LLC, dated May 7, 2018;
 - e. A color rendered Subdivision Plan Exhibit highlighting the changes in lot widths of end units from the previous approval, prepared Stout & Caldwell Engineers, LLC, introduced and entered into evidence in the course of the

- public hearing as Exhibit A-1;
- f. Application and Escrow Fees in accord with ordinance requirements;
 - g. An executed Escrow Agreement;
 - h. Form W-9 Request for Taxpayer Identification Number and Certification is on file;
 - i. Executed corporate ownership disclosures in the form required by statute are on file.
7. The Board's Planner, Barbara Fegley, AICP, PP, of Environmental Resolutions, Inc., Engineers, Planners, Surveyors, Scientists, submitted a review letter commenting upon the application dated May 17, 2017⁸ which is hereby incorporated into the record.
 8. The Board's Engineer, Hugh Dougherty, P.E., C.M.E. of Pennoni Associates, submitted review letters dated May 16, 2018 and May 18, 2018 commenting upon the application which are hereby incorporated into the record.
 9. No public comment was offered on the proposed development.

Conclusions of Law:

The Board finds that the proposed development continues to conform to Township ordinance standards even after the proposed lot width increase for end unit townhomes. The applicant has complied with the application requirements and procedures of the Board for approval of such development. Therefore, the proposed amended final major subdivision and site plan should be approved, subject to appropriate conditions as set forth below.

NOW, THEREFORE, BE IT RESOLVED by the Florence Township Planning Board in the County of Burlington and State of New Jersey that the application of US Home Corporation d/b/a Lennar seeking amended final major subdivision and site plan approval concerning an 8.87 acre parcel located at Florence-Columbus Road and Regars Drive, and known on the official Tax Maps of the Township of Florence as Lot 63 of Block 165.04, to allow minor changes to the previously approved development of 80 townhomes and associated site improvements, be and hereby is, **APPROVED**, subject to the following conditions:

1. All conditions of the Board's previous approvals shall remain in full force and effect.
2. All taxes and escrow fees for professional review must be paid current and in full.
3. Publication of a brief notice of this decision in the official newspaper of the municipality within 10 days of the date hereof.

The conditions of this approval shall run with the land and be binding on all successors in interest, purchasers and assignees. If this approval is not perfected within two years of the date hereof, or such extended date as may be provided by statute or Board action, this approval shall be void.

**MOTION TO APPROVE AMENDED FINAL MAJOR
SUBDIVISION and SITE PLAN:**

Moved by : Mr. Pagano
Seconded by : Mr. Molimock
In Favor : Mr. Pagano, Mr. Molimock, Mr. McCue, Mr. Morris
Councilman Lovenduski, Mayor Wilkie, Chair Hamilton-Wood
Opposed : None
Recused : None
Absent : Mr. Montgomery

MOTION TO ADOPT RESOLUTION:

Moved by : Mr. Molimock
Seconded by : Mr. McCue
In Favor : Mr. Molimock, Mr. McCue, Mr. Morris, Mr. Pagano,
Councilman Lovenduski, Mayor Wilkie, Chair Hamilton-Wood
Opposed : None
Recused : None
Absent : Mr. Montgomery

FLORENCE TOWNSHIP PLANNING BOARD

Dated: 5/22/18 Mildred Hamilton-Wood
Mildred Hamilton-Wood, Chair

CERTIFICATION

BE IT REMEMBERED that the within written Resolution was duly adopted at a regular meeting of the Florence Township Planning Board held on May 22, 2018 and memorializes a decision taken by the Board on May 22, 2018.

Dated: 5/22/18 Karen Federico
Karen Federico, Acting Secretary
Wayne Morris,